

In the Matter of)
) MB Docket No. 17-106
Elimination of Main Studio Rule)

To: The Commission

PRIME TIME CHRISTIAN BROADCASTING, INC. (“Prime Time”), licensee of five commercial television stations in small DMA’s in Texas and New Mexico,^{1/} by its attorney, pursuant to §1.415 of the Commission’s Rules, hereby submits its Comments on the *Notice of Proposed Rulemaking* (“NPRM”), FCC 17-59, released May 18, 2017, in the above-captioned proceeding.

1. Prime Time’s five full-power TV stations and related television translator stations constitute its religious television network, known as “GLC,” God’s Learning Channel. GLC offers inspirational, educational, cultural, music, Hispanic, news, and public affairs religious programming 24 hours a day, seven days a week, which includes daily live news, weather reports, and other shows. All stations receive a common program feed via satellite from Prime Time’s headquarters in Odessa.

1

which is also the main studio for KMLM.

2. While the five TV stations are nominally licensed as commercial TV stations on unreserved channels, they do not carry any commercial advertising. Rather, Prime Time is a Section 501(c)(3) corporation that is non-profit and exempt from payment of the Commission's annual regulatory fees. Approximately 77% of its annual income comes from viewer donations; the remaining 23% comes from program time purchased by religious programmers. In other words, Prime Time's five full power TV stations function as small noncommercial stations. Accordingly, in these Comments Prime Time presents the views of both a commercial and a noncommercial TV licensee.

II. The Main Studio Rule Should be Abolished

3. Prime Time fully endorses the Commission's proposal (*NPRM* Para. 6) to eliminate the rule requiring AM, FM, and TV stations to maintain a local main studio and to eliminate the associated staffing and program origination capability requirements that apply to main studios. These changes should take effect immediately for commercial and noncommercial TV stations but may be delayed for AM and FM stations until they fully transition to online public inspection files. See *NPRM* Para. 6.

4. In 2010, the Commission denied Prime Time's June 12, 2006 main studio waiver request, in which it sought to eliminate four of its five main studios and retain the KMLM main studio at Odessa as the hub of its five-station network. Most network employees are located in Odessa, which is where all hiring occurs, and the other stations are 102-178 miles from Odessa. Prime Time explained how it was able to achieve considerable economies of scale in the areas of staff management, production, educational outreach, fundraising, and engineering from its network

but could save an additional \$84,000 per year in labor, rent, and utilities costs if it did not have to staff the other four stations, and how hardly anyone ever visited the four main studios. While the Commission recognized that its waiver standards were much more lenient for noncommercial stations than for commercial ones, it decided to treat Prime time as a “commercial” network and denied its waiver request. *Letter to Prime Time Christian Broadcasting, Inc.* (Video Div., Media Bur., Nov. 23, 2010).

5. Thus, Prime Time frankly admits that its actual operations today will be directly affected by the outcome of this proceeding. If the proposal is adopted, Prime Time will be able to run the consolidated operation it proposed more than 10 years ago. Much has transpired since 2006 in terms of broadcast regulation, and now the Commission recognizes that having an online public inspection file obviates the *raison d’etre* of the old main studio rule – the public can inspect a station’s files without having to physically visit a main studio. Moreover, the cost savings described in Paragraph 4 above address the Commission’s concerns in *NPRM* Para. 7 and are even greater today. It is clear that stations can realize significant cost savings without a Main Studio Rule, and these savings easily translate into better opportunities for superior station operations and viability. And the savings and efficiencies are equally applicable to commercial and noncommercial operations.

6. In *NPRM* Para. 8, the Commission expresses concern about how this rule change might affect a station’s ability to communicate time-sensitive or emergency information to the public. Prime Time believes that those concerns are fully met by the requirement to maintain a local or toll-free telephone number for reaching the station’s headquarters. It is sufficient for such telephone numbers to be staffed during normal business hours with voicemail available for after-hour

messages and with the telephone number publicized in telephone directories and on the station's website. Likewise, Prime Time expects that responsible broadcasters will subscribe to local newspapers and take other steps to remain abreast of news and public affairs issues in those cities of license where there is no main studio. As to maintaining program origination equipment where there is no main studio, again technological advances with mobile units, helicopters, etc. obviate the need to maintain such equipment in every city of license.

III. Conclusion

WHEREFORE, in light of the foregoing, Prime Time Christian Broadcasting, Inc. respectfully requests that the Commission should eliminate the Main Studio Rule in accordance with the above Comments.

Respectfully submitted

PRIME TIME CHRISTIAN BROADCASTING, INC.

By:



Jerold L. Jacobs

Law Offices of Jerold L. Jacobs
1629 K Street, N.W. Suite 300
Washington, D.C. 20006
Tel. 202-508-3383

Its Counsel

Dated: July 3, 2017